

I.R.E. 520. Medical Malpractice Screening Panel Privilege.

Idaho Rules of Evidence Rule 520. Medical Malpractice Screening Panel Privilege.

(a) Confidential communication. A communication is a "confidential communication" under this rule if it is made in a proceeding conducted or maintained under the authority of Idaho Code Sections 6-1001 to 6-1011 and is not intended for disclosure to third persons, except persons present to further the purposes of or participate in the proceeding, or necessary for the transmission of the communication.

(b) General rule of privilege. In any civil action or proceeding, a medical malpractice screening panel or any member thereof, any party to the medical malpractice screening panel proceeding, and any witness or other person who participated in the medical malpractice screening panel proceedings has a privilege to refuse to disclose and to prevent any other person from disclosing a confidential communication under this rule.

(c) Who may claim the privilege. The privilege may be claimed by any holder of the privilege or for such person through the person's lawyer. The authority of the lawyer to do so is presumed in the absence of evidence to the contrary.

(Adopted January 8, 1985, effective July 1, 1985.)

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